IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

MONDAY, THE 26TH NOVEMBER 2007 / 5TH AGRAHAYANA 1929

WP(C).No. 35648 of 2004(R)

PETITIONERS:
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1. SHRI.M.K.JOHN,
PROPRIETOR, M/S.PAUL & SONS WOODESIGNS INDIA,
BANERJI ROAD, ERNAKULAM, COCHIN-682 031.

2. SMT.SHELSY JOHN, W/O.M.K.JOHN,
M/S.PAUL & SONS WOODESIGNS INDIA,
BANERJI ROAD, ERNAKULAM, COCHIN-682 031.

BY ADV. SRI.JOY THATTIL ITTOOP

RESPONDENTS:
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1. THE CORPORATION OF COCHIN,
REPRESENTED BY ITS SECRETARY,
COCHIN.

2. THE REVENUE OFFICER,
CORPORATION OF COCHIN,
COCHIN.

BY ADV. SRI.A.K.SAITHU MOHAMMED -- R1
ADV. SRI.V.S.CHANDRASEKHARAN, SC.COCHIN CORP

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 26/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) NO: 35648/2004 R

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1. COPY OF THE RECEIPT NO. 43 DT. 16/10/03 BY THE R1 TOWARDS THE PROPERTY TAX FOR PERIOD 2003-04 IST HALF YEAR.

EXT.P2. COPY OF THE ASSESSMENT NOTICES NO. CER 3(C) 288/04 FOR THE BUILDING NO. UA. 5632A.

EXT.P3. COPY OF THE NOTICE NO. CER 3 (C) 288/04 FOR THE BUILDING NO. UA. 5632 B BY THE RESPONDENT.

EXT.P4. COPY OF THE OBJECTION FILED BY THE PETITIONER DT. 12/2/2004.

EXT.P5. COPY OF THE NOTICE BY THE RESPONDENT DT. 22/3/04.

EXT.P6. COPY OF THE JUDGMENT OF THIS COURT DT. 26/3/2004.

EXT.P7. COPY OF THE OBJECTION DT. 6/4/2004 BEFORE THE R1.

EXT.P8. COPY OF THE OCCUPANCY CERTIFICATE DT. 24/09/2004 BY THE R1.

EXT.P9. COPY OF THE APPLICATION DT. 29/09/04 BY THE PETITIONERS TO THE RESPONDENTS.

EXT.P10. COPY OF THE ORDER DT. 2/09/04 BY THE R2.

EXT.P11. COPY OF THE ORDER DT. 2/09/04 BY THE R2.

EXT.P12. COPY OF THE COMMUNICATION DT. 22/10/04 BY THE PETITIONER TO THE R2.

EXT.P13. COPY OF THE NOTICE DATED NIL BY THE R1.

EXT.P14. COPY OF THE NOTICE DATED NIL BY THE R1.

EXT.P15. COPY OF THE NOTICE DT. NIL BY THE R1.

EXT.P16. COPY OF THE NOTICE DT. 19/11/04 BY THE R2.

RESPONDENT'S EXHIBITS NIL.

True copy

tga

KURIAN JOSEPH, J.

W.P.(C). NO. 35648 OF 2004

Dated this the 26th day of November, 2007.

J U D G M E N T

The issue raised in this writ petition pertains to the imposition of property tax. Despite the interim order dated 9.12.2004, there is no counter affidavit yet. The main contention is that the 1st respondent has not passed any orders on Ext.P7 filed by the petitioners. There will be a direction to the 1st respondent to consider Ext.P7 with notice to the petitioners and pass appropriate orders thereon in accordance with law, adverting to the contentions taken in Ext.P7. This shall be done within a period of four months from the date of receipt of a copy of this judgment. The interim order passed by this court on 9.12.2004 will continue till such time.

The writ petition is disposed of as above.

KURIAN JOSEPH, JUDGE.

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